PRICE FIVE CENTS.

GIRLWHOWASSHOT WON'TTELL BUT IS BELIEVED TO BE DELIA W.

LYTTEL OF ELMIRA. From the Hospital She Sends Three Notes to Kid McCoy, Asking Him to Come to Her Help-Who shet Her She De-

clines With Much Caim to Disclose. There is not much doubt in Paterson: N. J., that "Mary Hall of Syracuse," who was shot near Riverside Drive and 116th street on Friday night, is Delia W. Lyttel

of Elmira, who has been living in Paterson some three months. In Paterson she called herself Violet Johnson. She left Paterson on Wednesday, saying that she was going to Syracuse to try and effect a reconciliation with her husband. That morning "Mary Hall of Syracuse" registered at the Vendome here. Delia W. Lyttel is about 5 feet 4, weighs 110 pounds and wore a ring with the initials D. W. L." as the prisoner does.

She wrote three notes yesterday to Kid McCoy, the ex-pugilist, addressing him as Raymond Selby instead of Norman Selby. The first she sent from the New York Hospital to the saloon at Broadway and Fortieth street, in which he is interested, and the manager, being unable to find McCoy, brought back the letter unopened. Then the police got it. It reads as follows:

FRIEND KID: Can I ask you to do a favor for me? Will you come down at the hospital I need some one to be a friend, Kid, I have had very bad luck. If you read the World you will find out what I mean. Come down as soon as you can. They have not probed for the bullet yet. Ask to see Miss Hall, After she was transferred to Bellevue s

prisoner she wrote a second note to McCoy, which was returned to her unopened with the message that McCoy was out of town. This note was as follows:

DEAR KID: I am held as a prisoner a Believue Hospital, I mean the prison at Bellevue. Will you come to see me, as I am in need of a friend? The bullet is still in They have not probed for it yet. Kid, do come to me as I will go crazy if no one comes to me. I was in the New York Hospital when they took me a prisoner to Bellevue P. S. Ask for pass for ward 34.

Detective Wren of West 100th street had learned that the notes were sent to McCoy and went looking for the fighter. He was informed at the saloon that the Kid might be found at Saratoga. Wren went to Bellevue then and had another talk with Miss Hall. He asked her to let him see the notes she had written to McCoy. The young woman produced them.

'Maybe he is and maybe he isn't," replied the young woman. "You can tell your friends when you get into trouble." "When did you see him last?" Wren asked.

"Is McCoy a friend of yours?" asked

"Couple of days ago." was the reply. Then Wren produced the revolver that was found in the grass. He showed it to Miss Hall and asked if that was the weapon that shot her. She said she did not know. Then she noticed a dried spot of blood on the revolver and she wanted to know where the blood came from. Wren talked to her a long time, but when he left her he was none the wiser.

Before the detective departed she wrote a third note to McCoy and turned it over to Wren to deliver. McCoy can have it by visiting the West 100th street station. This note read:

DEAR KID: Will you come down to Bellevu prison, as I am in trouble and need a friend. MISS V. HALL.

Coroner Scholer is of the opinion that she is telling the truth when she says that she was shot by a young man. The police were inclined to believe that she had attempted suicide, and when she was removed to Bellevue Hospital last night she was made a prisoner on that charge. That was only done, however, for the purpose of holding her in the hospital until a thorough investi-

gation can be made. It was learned yesterday that the girl has been living at the Hotel Vendome off and on for a couple of months. The hotel people say that they know very little about She has always registered as "Mary Yet she wore a ring with the initials "D. W. L." She also had the return half of an excursion ticket from Paterson. The detectives decided that her home was the New Jersey town of troubles and not Syra-

For a brief moment the girl showed a disposition to help the detectives in solving her identity. That was when they asked here about the initials "D.W.L." on the ring. "Well, I'il tell you," she said with the least sign of a smile. "My name is not Mary Hall. The initials stand for my name."

The detectives felt that she was about to tell them more and waited. She waited. too. Coaxingly they asked her to fill out the initials. A smile and a shake of the head. Wouldn't she tell them if her home was in Paterson? No, she wouldn't say that It was or it wasn't.

The girl doesn't seem to be much over 18 years old, and she is quite good looking. She also has a mind of her own, and took the cross-examination very calmly. She first said that she had shot herself and she stuck to that story for some time. Then she said a "gentleman friend" had shot her. He was "about 25 years old, handsome and a swell dresser. " "I will never betray him."

she added dramatically. The detectives told her of all the dreadful things that would happen to her. She would be arrested for attempting to kill herself and she might die. "Then you would go to potter's field," said one of the slouths. "There's where I ought to go," she replied mournfully.

Why did he shoot you?" asked one of

Find him and find out," she replied. "Now, as a matter of fact, didn't you try to kill yourself because he refused to marry you?" said the other sternly. "Forget the suicide," she replied with a

laugh. "I'm too young, happy and healthy There isn't any danger of the girl dying. Two bullets were fired at her. They were email builets, .22 calibre. One of them struck

berabove the right hip and glanced off. The other pierced the right breast toward the shoulder. That bullet hasn't been re-

The revolver was picked up a few fee away from where the girl was found. When Coroner Scholer showed it to her yesterday she glanced at it and said: "Why, doesn" it look rustv?"

"It's the type of revolver a woman would Ionn's Homeopathic Lazatives keep your livered intestines active and insure perfect health

carry-a baby revolver," said the Coroner, "and I wouldn't be surprised if it had belonged to her.

Arthur W. Keep, a Columbia University tutor, had an unpleasant hour after the girl was taken to the hospital. He was the arst to reach her side after the shooting. Keep helped the girl to the cab which had taken her to within a block of where she was shot. After the girl was taken to the hospital the detectives took Keep to her

"Ever see this man before?" they asked. "Oh, yes," she said. "He's a good Samaritan. He's the first person I encountered after I was shot."

John Shea, the cabman who drove the rirl from the Hotel Vendome, says she told him to take her to 116th street and Riverside Drive. When he stopped she got out and up to her and fired two shots. Then he ran. He says he hasn't any idea what the man looked like.

20 MINUTE FIRE SPECTACLE. Fierce Blaze on Top Floor of 185 Church St.-Trains Run Through Smoke.

A blaze on the top floor of a five story milding at the northwest corner of Church and Murray streets made a fine spectacle for Brooklyn Bridge passengers and people around City Hall Park about 9:30 o'clock last night.

Some of the men of Insurance Patrol 1; whose station is close by, saw flames jumping from the top of the building and called Policeman Prigge, who turned in an alarm By the time the engines got there and the reserves of the Church street station were shepherding the crowd from Park row and the Bridge, the fire looked dangerous.

The building is an L shaped structure at 85 Murray and 185 Church streets. The fire started in the Church street wing and got a good start. Acting Chief Binns hustled up in his auto just after a second alarm was turned in.

The fire was fought from the Church street side and the men whipped it in twenty minutes. The second alarm brought a water tower, but it wasn't needed.

While the blaze was at its worst Mr. Wallach of Kollisch & Wallach, whose store is on the Murray street side; got to the building by chance. He came up from Long Branch to get a good cigar out of his office, he said. He closed the skylight and saved his stock of china and glassware from loss. Dropping embers set fire to a big awning

at the corner and it blazed high until a hose line opportunely exploded and extinguished it without aid of the firemen. The fire started in the store of the Empire Frame and Art Company. They are

the heaviest losers. Acting Chief Binns estimated the damage at about \$10,000. Sixth avenue elevated trains, which run from West Broadway into Church street at the corner, ran through a haze of smoke, but Chief Binns didn't think it ecessary to stop them.

BEEF TRUST TRIAL BEGINS OCT. 2. Day Set and Subpense Issued Secretly -Many Witnesses to Testify.

CHICAGO, Aug. 12.-Oct. 2 has been set as the first trial day for the twenty-four packers and lawyers and five corporations indicted on charges of combining in restraint of trade, accepting rebates and interfering with Government witnesses. Hundreds of witnesses will appear at the new Federal Building to testify for

the Government. The United States District Attorney, C. B. Morrison, had twenty subpænas issued and secretly served last night. The papers are returnable Oct. 2 n the United States District Court. Issu ance of these papers came as a surprise to most of the packers, as they had been entirely ignorant of the movement of the Government officials.

It is remarked that the sudden action by District Attorney Morrison's subordinates follows the words of President Roosevelt yesterday afternoon in his address at Chautauqua concerning the proseoution of the packers.

Mr. Morrison was not at his office to-day, having gone to his home in Dixon, Ill., for Sunday. His assistant, Attorney Elwood Godman, denied any knowledge of the etting of a trial day or the issuance of subpoenas, as did Special Agent Edward St. Clair and Capt. Thomas I. Porter of the Secret Service. In the Marshal's office ilso, it was said nothing was known.

Secrecy is insisted on because it is feared ome of the important witnesses may leave the country.

KENILWORTH AT NEWPORT AGAIN Palmist Who Was Arrested Kept His Engagement at F. W. Vanderbilt's.

NEWPORT, R. I., Aug. 12.-Walter W. Kenilworth, the palmist and astrologer, who early in the week was arrested and taken to New York at the instance of a woman claiming to be his wife, charged with grand larceny, returned to Newport this morning, having secured his liberty on bail and this afternoon was one of the features at the lawn fête given at the estate of Frederick W. Vanderbilt. Before his rrest Kenilworth was greatly in demand in the cottage colony, and holding a warrant as palmist to his Majesty the King of England, found that he had more than he could do. Although here but ten days he entertained guests in the leading cottages of Newport, including Mrs. Cornelius Vanderbilt's. He offered his services for the lawn fite this afternoon and when he was rrested it was thought that he would be unable to be present, but he turned up this morning and an Egyptian tent was pitched on the lawn beside the enclosure which Mrs. Stuyvesant Fish had her exhibit, and it was besieged by the cottagers all the afternoon, showing that he is still in popular demand. Kenilworth would not talk about his arrest on his return, but still insists that it is a case of blackmail and avers that he will prove this when the case comes to trial.

DIES OF PARK COLLISION HURTS.

-Driver of Runaways Held. Mrs. Abraham Kauffman of 717 East 139th street, one of the persons who was injured Friday night in a collision at McGown's Pass Tavern in Central Park died yesterday in the Mount Sinai Hospital from a fractured skull. Mrs. Siegel of Port Chester, who was out driving with Mr. and Mr. Kauffman and Mrs. Wink of 548 East 141st street, in the Harlem Hos-pital suffering from a broken nose and

548 East 141st street, in the Harlem Hospital suffering from a broken nose and contusions of the body.

The carriage in which the women were driving was struck by a runaway victoria driven by John Morris of 172 South Third street, Brooklyn. Morris was remanded on a charge of homicide. He said that he could not hold his team, and that the accident was unavoidable on his part.

TRAIN HITS J. N. ROBINS'S AUTO

OWNER HURLED INTO A FIELD AND BADLY INJURED.

Was About to Cress Railroad Track at Poughkeepsie on a Curved Read-Wife and Family Called to His Bedside -Victim Is Connected With Eric Basin.

POVORKERPSIE, N. Y., Aug. 12.—A big touring car, traveling at high speed, was struck by a train on the Poughkeepsie and Eastern Railroad at a crossing near Pleasant Valley shortly before 4 o'clock this afternoon. The pilot of the engine collided with the rear wheel of the automobile, which

was almost clear of the tracks. J. N. Robins of the Erie Basin dry dock, Brooklyn, the owner, occupied the rear seat of the car, which was overturned. He was hurled thirty feet into a field. The chauffeur, named Sullivan, jumped and

Mr. Robins weighs 875 pounds. He was conscious when picked up and was esisted to the train and brought to the Nelson House, Poughkeepsie, where he was attended by Dr. James E. Sadlier.

Five ribs on the left side were found to be broken and he was suffering from evere bruises and shock. His condition Telegrams were sent to his wife and son

at Pittsfield; Mass.; calling them to come at once. At the time of the collision Mr. Robins was on his way from New York to Pittsfield. He had got off the road near Wap-

oinger's Falls) and was going east on the Dutchess turnpike when the accident happened. There is a sharp curve in the railroad near the crossing and Mr. Robins said he did not see the train until it was upon him. The chauffeur turned the automobile

parallel with the train in an effort to escape. The machine was turned around by the force of the collision and was found afterward facing the track in the direction opposite to that in which it had been traveling. Mr. Robins said his home was at the Hotel Majestic, New York.

Mr. Robins is an engineer by profession. He is the president of John N. Robins & Co. of 19 Wall street, who represent the Erie Basin Dry Dock. Mr. Robins is also a director of the Battery Park National Bank.

PETITION FOR 75 CENT GAS Signed by 100 Consumers in This City and

Sent to the State Commission.

State Senator Alfred R. Page, who was a nember of the Stevens gas investigating committee, has sent a complaint to the State Gas Commission signed by more than 100 citizens, who maintain that the price charged for gas in this city is exorbitant, unjust and unreasonable. The signers of the complaint ask for an investigation.

"We are going to reduce the price of gas in New York to 75 cents," said Senator Page. "The State commission will be forced to act, inasmuch as it is stipulated that action must be taken upon formal complaint of 100 citizens. The complaint which I have forwarded to the chairman of the commission contains that many names. This time I hope that the matter will be settled and that New York people will no longer be obliged to pay unreasonable prices for gas."

Copies of the complaint will be served on the Consolidated Gas Company and the Mutual Gas Company to-morrow, and the State Gas Commission will set a date for a hearing. The Commission can regulate the price of gas.

LINER CUT A WHALE IN TWO. It Was the Whale's Fault, Reports the

Graecia's Captain. Capt. von Leitner of the Hamburg-American liner Graecia, which sailed hence for the West Indies on July 26, has written a letter to his agents here telling of the ship's collision with a whale when two days out It was dusk when the skipper sighted a big black object that looked like a capsized

derelict dead ahead. He changed his course to a void the object which surprised him by also changing its course. He ran into it plump amidships The shock of hitting the whale was followed by two others, caused by the separated halves of the whale drifting against the propeller blades.

The skipper writes that the "sea for a distance of two ship's lengths in diameter was dved red; one large portion of the dead whale was seen floating in the center of the orimson waters. Three other whales which escaped unharmed were near the spot Examination showed the engines were all right and the steamship proceeded twenty minutes later."

WENT UP WITH THE BUCKET. Italian Laborer Suspended Aloft by the Coattalls.

Joseph Morate, a laborer in the hole where the New York Central station is to be built, had an unpleasant fifteen minutes yesterday afternoon when his coattail got caught in the business end of a big hoisting machine. He was lifted thirty feet in the air before the engineer discovered his plight. Then the brakes were set so hard that it took almost fifteen minutes to loosen them. Morate talked Italian when he was aloft, and the police did not learn what the burden of his remarks was.

THEIR CHILDREN DIED ABROAD. Mr. and Mrs. Eugene M. Clarke Bringing

the Bodies Back From Algeria. MOUNT VERNON, N. Y., Aug. 12.-The news was received in Mount Vernon to-day that Mr. and Mrs. Eugene M. Clarke who left here two months ago on a European trip, are on their way back home, bringing bodies of their two children who died sudbodies of their two children who died suddenly in Algeria. Mr. Clarke is cashler of the Plaza National Bank of New York city. The children are Eugene Marcus, a boy aged 6, and a daughter Cecile, who was 4 years old. Relatives say that the deaths were gue to spinal meningitis.

SPEAKING OF ROCKEFELLER.

La Follette Says the Oil Man Taught Rebates to the Railroads.

DIX ON, Ill., Aug. 12.-Talking in his shirt sleeves and without a collar, Gov. La Follette of Wisconsin addressed 5,000 people at the Rock River Assembly to-day.

"John D. Rockefeller has done more
than all the men in the history of the country to poison the life of our business and
destroy business integrity," he said. "He
it was who first taught the railroads the
trick of the rebate system."

PEOPLE FIRE ON COSSACKS. Socialists Resist Troops at a Mass Meeting -Many Arrests.

Anecial Cable Despatch to TER SUE. WARSAW, Aug. 12.-Two thousand Socialists from Lodz and other places held a mass meeting in a wood near Lask to-day. Cosescks surrounded the wood, and the Socialists opened fire on them with revolvers. The Cossacks fired a volley, killing two Socialists and wounding eighteen.

The crowd was dispersed, and 485 persons were arrested and imprisoned at Lask. During yesterday and to-day over 1,000 revolutionists have been arrested in War-

ROOSEVELT TRAIN THREAT. No Attempt to Make Good Letter Sent to

the Paterson Pelice. Threats to blow up the Erie Railroad tracks at Ridgewood while President Roosevelt's train was on its way to Jersey City were made in an unsigned letter received by the Paterson police late Friday night. "It is not our purpose to kill the Presi-

that train will get burt." The Paterson police turned the letter over to the Erie Railroad detectives, who together with the police of Rutherford, kept close watch, but detected no attempt to carry out the threat contained in the

dent," the letter said, "but somebody on

BIG TIM SPENDS \$30,000. Congressman's Last Week in London Said

Special Cable Despatch to THE SUN LONDON, Aug. 12.—Congressman Timothy D. Sullivan sailed for New York to-day on the Campania. He said he was delighted with his trip and expressed the intention of returning next year. At the earliest possible moment after his return to New York he intends to resign his seat in Congress and become a candidate for the State Senate, where he feels that he will be more at home than in Congress. Mr. Sullivan's expenditures this week

ceeded \$30,000. LIEUT. ESTY'S WIFE SUES. Accuses Astor Battery Man of Miscondu

in presents, touches and at the races, ex-

Second Lieut. Thomas Bruce Esty of the Ninth Cavalry, U.S. A., is the defendant in a suit for divorce instituted here by Anna Blair Esty, to whom he was married ten years ago. Esty was a member of the John Jacob Astor Battery in the Spanish-American War, and it was on information received concerning his conduct in the Philippines that Mrs. Esty based her divorce action. Arthur P. Massey has been named as referee; and his report is expected shortly. Lieut, Esty was recently stationed at Jefferson Barracks, Missouri.

A DUEL IN MISSISSIPPI. Belative of Senator McLaurin Dead; Postmaster Moss Dying.

MOBILE, Ala., Aug. 12.—Charles McLaurin. relative of Senator McLaurin, is dead at Fanning, Miss., and Ernest Moss, the postmaster, is barely alive as the result of a duel last night. Bad blood existed between the two men over the postmastership of the town. The duel was fought with a Winchester and a revolver. The men fired several times at each other, each being badly wounded in the abdomen.

DROWNED BY THE UNDERTOW. Lad Who Tried to Save His Friend Lay in a

Faint on a Rock Near Oak Point. Frank Finey, 17 years old, of 38 St. Felix street, Brooklyn, was drowned yesterday afternoon while swimming in the Sound off Oak Point. In the water with Finey was his friend Elmer J. Conlon of 911 Eagle

avenue, The Bronx. Finey was caught in an undertow and Conlon started to his aid. Conlon dived and caught the drowning boy, but the struggle was too much for him and wher he succeeded in breaking away he just had strength enough to reach a small rook jutting out of the water nearby and crawled up on it. Then he lost consciousness.

There were a dozen persons on the shore but none of them dared swim out to the rock. A boat finally put out and brought the unconscious youth to shore.

W. U. MAY ASK FEDERAL AID. Protection to Telegraph Operators Only

Thing Needed to Break Strike. ST. PAUL, Minn., Aug. 12.-It is learned here that negotiations are pending between the Western Union Telegraph Company and the Federal Government to put troops about the telegraph stations in Montana, where it is reported the striking telegraphers of the North Pacific and Great Northern roads had interrupted the telegraph lines by cutting wires.

If this is done communication in that country will be restored and the operators will be able to return to work with comparative safety. In the isolated stations n the West, especially in mining towns, where the union is strong, an operator who fills a striker's place takes his life in his bands.

MT. WHITNEY'S HEIGHT.

It's 14,502 Feet, 20 Less Than It Was Credited With.

San Francisco, Aug. 12.—The party of United States Geological Survey level men under Topographer R. A. Farmer, which has been running a line of levels to the summit of Mount Whitney, has completed its work and found the true height of the mountain to be 14.502 feet.

While this shows Mount Whitney to be the highest measured mountain in the United States, it makes the true height twenty feet less than the figure that has generally been accepted and thirteen feet ess than that indicated by barometrical

HAIRCUT BY FREIGHT TRAIN. It Cost William Thompson \$5, as He Wasn't Sober When the Barber Came Along.

TRENTON, N. J., Aug. 12 .- William Thompson of this city went to sleep early this morning on the tracks of the Belvidero division of the Pennsylvania Railroad. freight train passed, and the wheels of the en gine clipped the fellow's hair close to his scalp. He escaped with a few bruises, and after these had been dre ed by a hospital surgeon he was taken to the police station and fined \$5 for intoxication.

The Train of the Century is the Twentieth Century Limited, the eighteen hour train between New York and Chicago by the New York Central Lines.—Adv.

PEACE ENVOYS AVOID A CRISIS.

Discuss Japan's Twelve Conditions for Ending Wari Clause by Clause.

TO HOLD SUNDAY SESSION.

Russians Credited With the First Victory at the Conference.

Their Answer to Japanese Demands Did Not Bring the Predicted Ultimatum -Hope Revived by the Decision to Discus Terms in Detail-Witte Believes Conference Will Continue at Least a Month-Denies Emphatically That Russian Envoys Asked for an Armistice -Japan Responsible for Keeping the Proceedings of the Conference Secret -Cores the First Subject Discussed.

PORTSMOUTH, N. H.; Aug. 12 .- There has been no break in the peace negotiations. The crisis has passed for the present. Envoys have reached the stage of discussion and the outlook is very hopeful. The gloomy forebodings of last night have given way to a feeling of pronounced optimism.

At the end of a four hours session; lasting from 3 until 7 o'clock this evening; the envoys announced through Mr. Korostovits, one of the Russian secretaries; that there would be another session on Sunday, which would begin at 3 o'clock. The four hours of conference had been spent, it was explained, in the consideration of the first article of the Japanese statement of conditions; and the discussion had not been completed when the adjournment came.

The envoys decided to take up the peace terms article by article, and this is in itself the most hopeful sign that has appeared since the negotiations were initiated. It means that both sides are willing to show a spirit of compromise. More than that, it means that the Japanese have not come here to dictate terms and to demand their rights as conquerors. They have not delivered an ultimatum. They are showing a disposition to treat with Russia on equal

There were predictions to-day that the Japanese envoys, after receiving the Russian answer to Japan's conditions, would make a declaration that the terms must be accepted in whole or not at all, but the Japanese plenipotentiaries did nothing of rt. They did not even threaten. To use what some people would call a "Hibernianism," their answer was not an answer at all. Instead of submitting, as a formal response to Russia, refusal to accept the enemy's demands in toto, they merely made the mild request that the conditions proposed by them for ending the war be taken up one by one and receive careful considera-

The crisis that had been feared vanished in dir. Naturally the Russians are elated for it is they and not Japan who have 'gained the first honors in this greatest diplomatic contest of modern times, perhaps of all time.

WITTE EXPLAINS THE SITUATION.

After returning to the Hotel Wentworth from the conference hall this evening Mr.

Witte said: "The Japanese did not give us an answer but declared they would discuss the terms point by point. There are twelve points, and in my estimation each will take two days in discussion. As the first was not half finished on the first day, it will take twenty-four days to consider all the points. which will make the conference last twenty-

four days longer." "The purpose for which we have come here was either peace or war, and we will try everything to avoid shedding the blood

of 100,000 people. "For if this war continues, very likely other nations may become involved."

RUSSIA HASN'T ASKED FOR ARMISTICE. With emphatic earnestness Mr. Witte

made this statement:

in asking for it."

"I ask of you gentlemen to deny in the most formal, categorical and decided way that from me or any other Russian side has there ever been expressed a wish for an armistice, and I say so because an American publication has stated that I almost

threw myself at the feet of Baron Komura

It is clear then from this brief explanation of the great Russian statesman that the Portsmouth peace conference has not been abortive and will continue at least for the greater part of a month. From the very beginning of the exchanges those concerned have predicted confidently that if the envoys ever reached the stage where they were willing to discuss the Japanese conditions, peace would certainly be the outcome. That stage has been reached

preted to mean that even if the conferees fail to agree upon any radical point, such as that affecting indemnity or the cession of territory, they will not regard their labors at an end but will proceed to the next point and give consideration to that and so on down through the list until every article has been scrutinized. The longer

Mr. Witte's statement must be inter-

and the outlook is most promising.

the conference lasts the stronger must be the hope of peace.

CORRA UNDER DISCUSSION. The first of the twelve conditions of peace proposed by Japan relates to Corea, and the discussion of what was demanded by the Japanese with respect to that bone of contention consumed the four hours that the conferees were in session this

TWENTY-EIGHT PAGES.

The Japanese do not insist upon the recognition of a Japanese protectorate or Japanese suserainty over the Hermit Kingdom, but only a recognition of Japan's prepondering interests there.

HOPE RISES AS STORM CLOUDS BREAK. To-day opened hot and sultry and if there was any place in the United States warmer and more uncomfortable than Portsmouth, life there must have been well nigh unbearable even without the mosquitoes that have infested the place in myriads for the past three days. Latelin the afternoon, when the conferees were discussing the destinies of Japan and Russia, black clouds appeared that fitted in well with the gloomy feeling among those concerned in the negotiations that a break was immi-

Then the rain came, heavy, driving rain; and , while it poured the clouds broke and through them came the bright beams of the sun. And with the sun appeared a gorgeous rainbow extending over the heavens from east to west, directly above the building where the envoys of the two belligerents were holding their momentous

The pessimists among those who were anxiously awaiting the outcome of the meeting between the four distinguished men to whom the question of peace or war had been left for determination began to take courage. They regarded the brilliant hued strip of ribbon across the sky as a good omen; and it was.

MOBNING SESSION BRIEF.

This morning's meeting was for the specific purpose of giving Mr. Witte and Baron Rosen the opportunity of making in behalf of Russia their response to the Japanese conditions. The session was brief. Baron Komura and Mr. Takahira asked time to consider what the Russian envoys had to say, and in according to the request Mr. Witte and his colleague suggested that as they had been prompt in answering the Japanese note they hoped the Mikado's emissaries would be equally expeditious.

Baron Komura responded that he and Mr. Takahira would endeavor to meet the wishes of the Russians and promised to submit the response at 8 o'clock this afternoon if it were possible. If it were not possible, he said, Mr. Takahira and himself would be ready at 8 o'clock on Sunday afternoon. THE AGREEMENT.

After the morning session ended Mr. Witte and Baron Rosen went automobiling. Baron Komura and Mr. Takahira went into conference at the Wentworth. At 3 o'clock they returned to the navy yard and met the Russian envoys there. happened has been told above. It was officially explained in briefer form in the following statement made in behalf of the plenipotentiaries by Mr. Korostovitz of the Russian mission:

"The Japanese plenipotentiaries, having examined the Russian answer and conditions, the conference was opened at 3 P. M. to consider the discussion of the conditions clause by clause. The session lasted until 7 P. M. To-morrow being Sunday there will be no morning session. The conference will meet at ? P. M. to-morrow.

Mr. Korostovitz added in answer to a question: "The day was passed in discussion of the first clause. The conference had not finished with that when it adjourned, and it will be taken up again to-morrow."

Considerable unfavorable comment over the continued reticence of the Japanese envoys is heard here. The Russians are anxious to give to the press the fullest details regarding the discussions of the conferences, claiming that there is nothing they are afraid to conceal from the world, but their desire to do so has met with opposition from Baron Komura and Mr. Takahira, who have pledged their opponents to observe secresy as to what has taken place

in the conference room. Mr. Witte explained to the newspape men who saw him upon his return to the Wentworth that his lips were sealed as to the details of what occurred at to-day's conference. He said:

"If I do not put under your eyes therpied of the great historical process now going on it is because the Japanese have fermally opposed it. I myself was entirely disposed to do it and am so still, because as I quite freely stated it is in our interest to hold up the single phases of this great process to the

faces of the civilized world." JACK THE GIANT WALLOPER. Pugilist Root Said to Have Whipped Most

of MoGraw's Players. St. Louis, Aug. 12.-Jack Root, the pugilist, is reported to have whipped most of the players of the New York National League team on a Frisco train coming from Chicago.

According to the story current in sporting circles to-day, the Giants and Root came down on the train Thursday night, Root occupying a sleeper in the Giants' car. When the train was a hundred miles of

so outside of Chicago a number of the players got into a water slinging combat. Root, whom the Giants failed to recognize, remonstrated with the players, and was showered. Root knocked down the man who threw the water and had to fight many other Giants. He thumped every player he saw and is reported to have done a great finishing job. He hit the conductor as well as Manager McGraw and Secretary Knowles. Peace, such as was possible, was restored, and the badly battered ball players turned

Dewey's Pure Grape Juice and Port Wine Will bring a mile of joy to your Sick. H. T. Dewey & Som Co., 138 Fulton St., New York,

into their lertha.

NO HOPE PREVAILS IN RUSSIA.

LEADERS AT HOME CONSIDER FATE OF CONFERENCE SEALED.

Their Interest Turned to the Internal Situation-Sure to Get Some Sert of & National Assembly-The Czarevitch's Birthday-Views of Japan's Torms.

Special Cable Despatch to THE CUR. Sr. PETERSEURO, Aug. 12.—Although Russians are a bit puzzled by allusions in telegrams from the United States to the possibility of peace despite the knowledge of the Japanese terms the whole question is rapidly disappearing from public consideration as an episode which has already been considered and closed and peace is regarded as outside the practical features of the situation for a considerable time to

to the interesting situation of internal affairs. It may now be said that public opinion has come into being as a definite political force in Russia. Its birth dates back only a few months, and while its outward manifestations are few it is already regenerating the Russian people.

The world must not expect rapid mani-

festations of its power, but a force has been created which hereafter will dominate the destinies of this empire. Already it has so impressed itself upon the constituted authorities from the Throne downward that they must yield to it, however, unwillingly and with whatever subterfuges. MUST HAVE A NATIONAL ASSEMBLY.

The leaders of this new political force are patient. They will attempt no miracles and will use force only as a last resort. They insist now on the creation of a national assembly; and it will be granted in name at least. They are fully aware that its powers will be practically nil; but they will gain the essential rights of freed dom, an assembly and the rights of debate. They will make it scarcely more or less than a Jacobin club and an organ of a national propaganda. When this has gained a final success then real demands for a constitution and a parliament with full authority are as certain as the sun's

It is for these reasons that the leaders of the autocracy like Pobledonosteeff vehemently opposed any concessions whatever. They are quite right from their own point of view. The autocracy is doomed from the moment a representative assembly with any real political functions; or even with none at all, is permitted to meet.

That a duma of some sort will be created

is settled by the Czar's brief; ambiguous manifesto; which was issued to-day. The scheme in its present shape is to be still further whittled down by a star chamber council over which, it is said, Pohisdonest-self is to preside. He would make it a more Church congress; but this would not be accepted. A genuine representative as-sembly must and will be granted. The Czar knows that it is true; as Count Ignation told him last week, that this must be conceded or the Romanoff dynasty must pay

CZAR AGAIN A WAR ENTHUSIAST.

The new war sentiment, which regards the war as a necessary evil which the national honor requires to be continued, will not be allowed to divert the popular will from its purposes in regard to internal affairs. The Czar himself, according to the best information, has become a war enthusiast. This is ascribed largely to the influence of the Kaiser. There is reason to believe that Emperor William entirely changed the Czar's attitude between the date of President Roosevelt's invitation to a peace conference and his meeting with Nicholas. This move on the part of the Kaiser was due to the strong foreign influence which has been brought upon the Czar to induce him to make peace and seek compensations in the near East. This was the plan; as cabled to THE SUN on the high-

est authority, which meant even British approval. There are those even among high Russian authorities with whom THE SUN COFFEspondent has conversed within the last two days who take the gloomiest views of the immediate future in internal Russia. They say truly enough that in Poland, Finland and certain Baltic provinces the insurrectionary spirit is directed not alone against the Russian Government but against the Russian people, that it is ineradicable and that an explosion is inevitable. They affirm that patriotism is abso-

lutely extinct, except in orthodox Russia.

If this means a determination to obtain administrative reforms, it must be admitted that the country and the Emperor himself have much to reflect upon on this birthday anniversary of the infant Czare-vitch, which was celebrated by a holiday throughout Russia. The Czar with his infant son in his lap, according to national custom, received congratulations at Peterhof, and special services were held in the churches. The Emperor still shows remarkably buoyant spirits since he decided to prosecute the war, but the situation to-day compared with that of a year ago must cause him bitter reflections, as it

does his subjects. The year now entered upon will be preg-nant with still greater events, events which will reshape the destiny of the Russian Empire.

It was learned for the first time this afternoon that the publication here of the Japanese terms was unauthorized and unofficial. The Foreign Office expresses regret for their publication, but does not dispute their correctness. All diplomatic circles accept them as authentic, athough perhaps they are incomplete. It is said in certain quarters that the demands include the custody of Vladivostok pending the payment of an indemnity.

PRESS VIEWS OF PRACE TERMS. The Bourse Gasette thinks that Japan undoubtedly will refuse to renounce her claims to an indemnity and territorial concessions. The question of peace, the paper says, must be settled on the battlefield,

The Russ says that the cession of Sakhalin Island, the limitation of the Russian naval forces on the Pacific and the surrender of the interned Russian warships are inadmissible. If the Japanese persist in them the conference will end immediately. The Slovo anticipates prompt rejection of the Japanese conditions.

The Resviet is surprised that the negotiations were not broken of immediately on receipt of the humiliating and absurd conditions.

. The Nashadzihn says that the public is indifferent slike to the question of peace